

Legislation - Major Issue Areas,

94th Congress

1. Intelligence Oversight

S. Res. 21 (Church Committee)  
H. Res. 138 (Nedzi Committee)  
H. Res. 591 (Pike Committee)  
S. Res. 400 (Inouye Committee)

Major efforts taken in this area, especially with respect to S. Res. 400. Testimony, reports, fact sheets, informal discussions employed with Senate Government Operations and Rules Committees. Qualified success in influencing content of S. Res. 400.

2. Open Budget

Giaimo amendment  
Various bills  
S. Res. 400  
Zero-based budget (S. 2925)

Major effort undertaken to preserve budget secrecy. Much educational and background material prepared. Giaimo amendment decisively defeated. Views letters and fact sheets on several bills. However, failed to prevail on this issue in S. Res. 400.

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Foreign Relations and International Relations Committees most troublesome in this area.

4. Electronic Surveillance

H. R. 214  
S. 743  
S. 3197  
H. R. 12750

Intensive effort on electronic surveillance bills during first session, and early part of second session. Successful in Senate Judiciary in holding back Kennedy bill. Mixed results in House Judiciary with Kastenmeier bill. Monitored developments once DOJ took initiative with Administration bill.

5. Protection of Information

A. Congressional Access

S. 2170  
S. Res. 400  
Resolutions of Inquiry  
GAO Audit

B. Public Access

Sunshine  
FOIA-Privacy Amendments  
Financial Disclosures  
Open Communications Act

Testimony and reports prepared in sparring with Abzug Subcommittee on FOIA-Privacy. Great success with Rep. Flowers Subcommittee on Sunshine bill and with Senate Rules on financial disclosure. All resolutions of inquiry defeated. GAO audit still open issue.

6. Executive Agreements

Case Act amendments  
Various bills (e.g. S. 1251, H.R. 8443)

Fact sheets prepared and used heavily in Senate. Issue still percolating.

7. Employee Rights

"Ervin bill"  
Right to Counsel (H.R. 6227)  
Hatch Act Amendments  
Garnishment  
Civil Service amendment  
Polygraph bills

Right to counsel bill passed House with insufficient modification.  
Hatch Act special provision obtained. Reports on polygraph bills.

8. Miscellaneous

Lobbying (H.R. 15, S. 2774)  
APA Amendments (S. 796 - S. 800)  
Criminal Justice Information  
Overseas Taxation  
Medical Malpractice  
Records Management

Major effort on all the above. Success in obtaining malpractice coverage. Success in House Judiciary on lobbying. Senate Judiciary largely responsive to our needs on APA Amendments and Criminal Justice Information. Record Management passed with report still pending in OMB, though Agency interests protected.

Legislation - Major Areas of Concern,

95th Congress

1. Amendments to the National Security Act

a. Impetus likely from Senate Select Committee on Intelligence.

(1) OLC working with OGC and IC on this.

b. Individual Congressmen also may take initiatives in this area, e.g., Reps. McClory and Harrington already have prepared comprehensive legislation for the next Congress.

2. Open-Budget/Authorization

a. Likely to be a hot issue in the House, despite Rep. Abzug's departure.

b. May become an issue collaterally, e.g., "sunset" legislation in both Houses.

3. House Oversight

a. Some 18 bills were introduced last Congress; likely to be an active issue early next session.

4. Executive Agreements

a. Case Act amendment offered during 94th Congress, but not enacted; likely to recur during 95th Congress.

(1) Other legislation, more directly affecting our activities, also likely to be re-introduced.

5. GAO Audit

a. May come up via SSCI and by separate legislative initiative.

(1) This was a recommendation of both Pike and Church committees.

6. Electronic Surveillance

- a. The direction here, of course, depends heavily on who occupies the White House, but congressional action is certain nonetheless.

7. Zero-Base Budget Review ("Sunset" legislation)

- a. Hot issue in Senate, particularly for Senator Muskie.

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9. Other Issues

- a. So-called Proxmire "gift amendment"
  - (1) OLC package ready to go.
  - (2) Taxation of overseas living expense payments, etc.

Agency - Initiated Legislation

1. Sources and Methods -- The Agency's sources and methods proposal was introduced in the House (H. R. 12006) as part of the President's program.
2. "Michel bill" -- Legislation to prohibit the identification of undercover personnel was developed by Agency and introduced by Rep. Michel, Sen. Beall, Sen. Bentsen.
3. "Two Deputies" -- OMB cleared for submission to Congress the Director's proposal for creating a second statutory deputy.
4. CIARDS -- The Congress passed the CIA Retirement Act Amendments proposed by the Agency.
5. Medical Malpractice -- The Agency obtained Medical Malpractice legislation for its doctors and medical personnel.
6. Firearms -- The Agency has prepared legislation to authorize security officers to carry firearms under certain circumstances.

Legislation - Workload and Organization

1. Screening all bills, reports, hearings, and Congressional Record (Legislative File Copy).
  - a. Approximately 20-25 man hours per week necessary to screen the approximately 4,000 bills and hundreds of reports and hearings to ascertain the impact on the foreign intelligence program, and to ensure the proper reading of the Record.
2. Formal reports prepared at the request of congressional committees or at the initiative of OLC.
  - a. Approximately 65 such reports were prepared during the 94th Congress; each involved extensive coordination within the building and many entailed meetings with staffers on the Hill.
  - b. Approximately 20-25 man hours per week are required for this aspect, although the load may fluctuate.
3. Reports on draft Executive Orders, coordination of reports from other agencies and departments, and preparation of other material for OMB.
  - a. Some 25 such reports were completed during the 94th Congress, with several involving long-term redrafting and coordination.
  - b. The number of hours per week needed in this area is difficult to gauge in advance, but probably should not be less than 5-7 hours per week.
4. Informal fact sheets and other written material designed to affect pending legislation.
  - a. These projects, generally undertaken at the initiative of OLC, may yield handsome dividends in heading off legislative problems early on in the process; about 21 such projects were undertaken in the 94th Congress.

- b. The workload varies a great deal in this important area, but at a minimum should involve approximately 5-10 hours a week.
  - c. An additional man on legislation should mean that more work is done here.
- 5. Official views letters on enrolled bills, submitted to OMB.
  - a. Approximately 5 such letters were completed during the 94th Congress.
- 6. Miscellaneous constituent requests, briefings, and back-up responsibility projects.